City of Seattle

Gregory Nickels, Mayor
Department of Planning and Development
D. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 2500808

Applicant Name: Lisa Kennan-Myer for West Seattle Retirement Res. LLD

Address of Proposal: 3204 SW Morgan St.

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a 160-room Congregate Residence. Surface parking for 96 vehicles to be provided.

The following approvals are required:

Design Review – Chapter 23.41 Seattle Municipal Code
Departures are requested for:
- *Structure Width*
- *Structure Depth*
- *Side Setback*
- *Tree Requirements*
- *Front Setback*

SEPA – Chapter 25.05 Seattle Municipal Code (Conditioning Only)

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [X*] EIS

[ ] DNS with conditions

[ ] DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

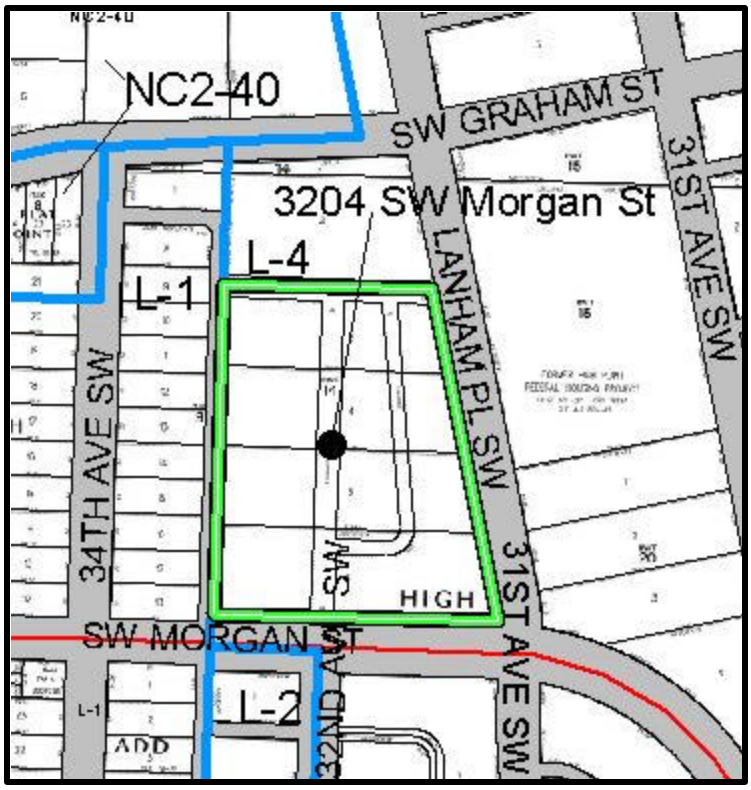
* FEIS published September 24, 2002.

VICINITY AND BACKGROUND:

The property is within the 120 acre redevelopment of the High Point public housing project. The subject site is located on Block 14, Lots 3, 4, 5 and 6, and is zoned Lowrise 4 (L4). The site is located two blocks east of a main car/transit route, 35th Ave SW. SW Morgan St connects directly with 35th Ave SW. Seattle Housing Authority (SHA) is currently constructing full street improvements throughout the High Point Subdivision (MUP 2202170 Permit No. 736347).

This site was part of a larger contract rezone (MUP No. 2105600 Permit No. 736346) & related subdivision which included certain large scale site planning requirements such as retention of important trees, reduced roadway paving widths and general design based structure siting. The Design Commission and West Seattle Design Review Board approved the street layout and building concept plan in addition to the Seattle Department of Transportation requirements are recorded with the related subdivision and rezone.

A High Point specific Design Book was drafted by the High Point Development Team (SHA), City of Seattle, Design Consultants, and the Seattle Authority Board of Commissioners. The Design Book contains very detailed CC&R's that are attached to the purchase and sale agreements for the for-sale development of lots in the High Point Subdivision. Copies of these documents are on file at SHA and DPD. The Design Book was drafted by SHA to 1.) clearly illustrate to builders SHA's expectations for acceptable design; 2.) to provide residents, neighbors and interested parties information about the intent of the built character of for sale homes in High Point before construction; and 3.) to consolidate the efforts of DPD's Design Review and SPU's Natural Drainage Design in conjunction with market and consumer preferences.



PROPOSED PROJECT & SITE DESCRIPTION

The site is approximately 350 feet deep and 444 feet wide for a total of 164,798 square feet and has a significant grade change of 25' from the southwest corner to the northeast corner of the site. The site is currently comprised of seventy-six (76) unit lots, but is regulated as one development site for development standard purposes. The site contains seven (7) trees, which are part of the tree preservation plan associated with the subdivision and rezone of the High Point Community. Currently there are no structures on the site. The site is bounded by SW

Morgan St to south, Lanham PL SW to the east, SW Graham St to the north and a 20' alley to the west.

The applicant is proposing the development of a 160 suite Congregate Residence. Surface parking is proposed to be located west of the proposed structure near the undeveloped alley. Vehicle access is proposed from the two abutting streets, SW Morgan and Lanham Pl SW. Ninety-six (96) parking spaces are proposed.

DEPARTURES

Requested Departure Table

Development Standard Requirement	Proposed	Rationale	Staff Determination
Structure width SMC Table 23.45.011-A. Maximum Building Width with Modulation = **90'**	**420'**	The proposed structure is not larger in scope than was approved on the Building Concept Plan and provides a better site design.	The Director approves this departure.
Structure depth SMC Table 23.45.011-A 65% depth of lot. .65 x ˜ 351' **= 228'**	**300'**	The proposed structure is not larger in scope than was approved on the Building Concept Plan and provides a better site design.	The Director approves this departure.
Side Setback Requirements SMC Table 23.45.014-A North and South Minimum Side Setback = **10'** Average Side Setback = **41'**	Minimum Side Setback = **13' (S); 28' (N)** Average Side Setback = **34.32' (S); 60.84' (N)**	The proposed structure is not larger in scope than was approved on the Building Concept Plan and provides a better site design.	The Director approves this departure.
Number of Trees Required on a lot ***Director's Rule 13-92*** 127 Trees required	**90 Trees**	Five large significant trees are being retained and the project provides more caliper inches of tree than required. Over planting can reduce visibility and usability of open spaces	The Director approves this departure.
Front Setback Requirements SMC(s) 23.44.014-A; 23.86.012-A.1.e 10'	**0' (for trellis structure only)**	This departure in only for the mid-block trellis structure which signifies the pedestrian entry for non-driving visitors and residents.	The Director approves this departure.

PUBLIC COMMENTS:

DPD received one written comment for the project during the Early Design Guidance (EDG) phase of the project. The commenter requested to receive notice of the decision.

STAFF COMMENTS:

A meeting was held during the preliminary stages of the project on April 7, 2005 with Seattle Housing Authority (SHA) representatives, the applicant, the developer and City staff to allow each agency to do an initial review of the proposal in light of the City's Guidelines for Multifamily & Commercial Buildings and SHA's Design Book regarding the for-sale lots. The meeting provided an opportunity for the applicant to present the project to SHA representatives and City Staff. The administrative Design Review Process established for the SHA market-rate properties requires the meeting.

Three development standard departures were requested at that time: (1) structure depth, (2) structure width and (3) side setback requirements. Specific departures were re-evaluated upon the Master Use Permit submittal. Two additional departures are requested: (4) the number of trees required on the site and (5) front setback requirements (see departure matrix above).

Preliminary Meeting Attendees:

Lisa Kennan-Meyer	***Kennan-Meyer Architecture***
Garth Brandaw Dan Roach	***Curry Brandaw Architects***
Tom Phillips Stephen Antupit Donna Burris	***SHA Staff***
Lucas DeHerrera	***DPD Staff***

Architect's Presentation & Discussion at EDG stage

The proponent presented three design (3) alternatives with option "A" being the preferred design, from the EDG packet. The meeting began with a general overview and background of the site; detailing the proposed use; site topography; surrounding structures (future); relationship of the project to neighboring uses; vehicle access, parking; and tree preservation issues.

The applicant proposes one structure to be comprised of three separate wings that connect to a central service area. The design proposes a strong and appropriate presence at each street, with surface parking proposed behind the structure. Vehicle access is proposed from the southwest and northeast corners of the site.

The preferred design by the applicant proposes to save five (5) of the existing seven (7) trees on site. The two (2) trees proposed to be removed are located in the center of site[*]. Pedestrian access to the structure was a point of concern along with internal pedestrian access around the site for the residents and a possible inclusion of a pedestrian connection with The St. Elizabeth's House north of the subject site. Conflicts with parking and access into and from the northeast corner were discussed. Creating a celebrated and appropriate corner at the intersection of SW Morgan St and Lanham Place SW was a point of emphasis.

[*] Tree #'s 640 and 642 as noted on the tree preservation plan associated with the High Point Subdivision.

Master Use Permit (MUP) Submittal Summary

The applicant made minor changes to the MUP plans, opting to continue with the building concept and layout of option A in the EDG packet. There are some changes worth noting that will be further explored below: updated midblock pedestrian grand entry from Lanham Pl SW, updated program for the central court, improved vehicle circulation area, revised concept at the intersection of Lanham Pl SW and SW Morgan St, a building design gesture at the terminus of 32nd Ave SW, improved pedestrian circulation, pedestrian connection with St. Elizabeth development to the north, updated detail for patios of ground units facing the streets, and a newly added accessory garage and waste enclosure.

PRIORITIES:

After analyzing the site in its context, the conceptual massing, the parking scheme and the MUP plans provided by the proponent, the Director provides the following siting and design comments and analysis. The Director also identifies by letter and number those siting and design guidelines found in the City of Seattle's *"Design Review: Guidelines for Multifamily and Commercial Buildings"* of highest priority for this project. The specific guidance statements given to applicant during the EDG phase of the project can be found in the project file. Below is a summary of the responses by the applicant and the Department's analysis:

A. *Site Planning*

A-1 Responding to Site Characteristics.
The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

A-2 Streetscape Compatibility
The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

A-3 Entrances Visible from the Street
Entries should be clearly identifiable and visible from the street.

A-4 Human Activity
New development should be sited and designed to encourage human activity on the street.

A-5 Respect for Adjacent Sites
Buildings should respect adjacent properties by being located on their sites to minimize disruption of privacy for residents and outdoor activities of residents in adjacent buildings.

A-6 Transition between Residence and Street
For residential projects the space between the building and the sidewalk should provide security and provide for residents and encourage social interaction among residents and neighbors.

A-7 Residential Open Space
Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

A-10 Corner Lots

Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

- A hip-roof will be accentuating the terminus of 32nd Ave SW along with two standing seam metal roofs over the top windows which are directly across from 32nd Ave SW. The façade at the terminus is also accentuated with cement board shingles with trim.

- The intersection of SW Morgan St and Lanham Pl SW has been proposed with a two story open portico with brick based pillars and a covered ground patio and common view deck above, which is accessible from the interior. This area will function as an entry and exit for residents. The second story deck will provide a common gathering area with views to the future neighborhood park and neighborhood center across the street. The portico element is anchored to the building by two hip-roofed towers which have two seam metal roofs over the top windows of the towers for accentuation of the importance of the corner.

- To respond to the Great Mound Park across the street, the applicant proposes an appropriate mid block pedestrian access and connection with a well detailed courtyard. Open space for ground units facing the park are provided with large patios.

- The proposed internal walking path connects all public entrances and exits with parking and the public sidewalk. The walking path is also connected to the center courtyard. Two paths also connect to the Saint Elizabeth house to the north which will provide the opportunity to visit among residents and access to the shopping and service amenities to the northwest of the site, north of Graham St. Lawn furniture will be used at appropriate locations.

- The proposed loading berth area has been located between the southwest corner of the building and tree #641 and the large grade change to the west of the site which hides it to the greatest extent possible.

- The grade change along SW Morgan St are appropriate considering that street is an arterial. Along SW Morgan St, the grade attempts to be compatible with the street and open space privacy needs of the residents. Importantly, the street and building grades meet at the key mid block pedestrian entrance.

- The mid block entrance provides an accentuated brick based wooden posted trellis structure to signify the pedestrian entrance for both residents and non-driving visitors. The entrance leads to a central courtyard open space with access central gathering room near the dining room and main entry. This element is a result of the specific guidance given by DPD staff and as a result of its successful implementation; a front setback departure is required to allow the trellis to extend up to the front property line. The Department supports and grants this departure.

B. ***Height Bulk and Scale***

B-1 Height Bulk and Scale Compatibility

Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in

perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

- The structure proposes appropriate setbacks, vehicle access, landscaping, articulation, roof forms, open spaces and structure placement considering the topography and street system. The Department supports the design as proposed.

C. ***Architectural Elements and Material***

C-1 Architectural Context

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighborhood buildings.

C-4 Exterior Finish Materials.

Building exteriors should be constructed of durable and maintainable materials. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

- The structure will use Barkwood roofing, varying cement board siding, varying cement board shingles, white fascia and gutters, painted metal deck railing, roof dormer vents with metal roofs, vinyl windows, brick veneer base in key locations, decorative brackets, and standing seam metal roof over top windows in key locations. See MUP plans for further detail. This palette will read residential in character and will match the St. Elizabeth House to the north. The Department supports the siting pattern of the structure and proposal considering the surrounding residential character.

- The finished materials will be of high quality and mixed in matter that provides some diversity in the facades. Key elements have been added to accentuate the appropriate areas of the structure including but not limited to: the terminus of 32nd Ave SW, The intersection of Lanham Pl SW and SW Morgan St, street facing patios, mid block pedestrian entry, and the northeast area of the structure. The finished materials are supported by the Department.

D. ***Pedestrian Environment***

D-3 Retaining Walls

Retaining walls near a public sidewalk that extend higher than eye level should be avoided wherever possible. Where high retaining walls are unavoidable, they should be designed to reduce the impact on pedestrian comfort and to increase the visual interest along the streetscape

D-4 Design of Parking Lots Near Sidewalks

Parking lots near sidewalks should provide adequate security and lighting, avoid encroachment of vehicles onto the sidewalk, and minimize the visual clutter of parking lot signs and equipment.

D-6 Screening of Dumpters, Utilities and Services Area

Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should be situated and screened from view and should not be located in the pedestrian right-of-way.

D-7 Personal Safety and Security
Project design should consider opportunities for enhancing personal safety and security in the environment under review.

- Low landscape and retaining walls will be used as a unifying element and to separate public and private spaces. All of the walls and any exposed concrete will be brick veneer. This meets the intent of the guidelines for retaining walls and is supported by the Department.

- The parking lot was redesigned in line with SHA and DPD comments. Two preserved trees provide a green island in the center of the parking lot to break up paving and the vehicle circulation was improved. Also, pedestrian paths are found throughout and access around the site is improved along with access to the St. Elizabeth House to the north. The Department supports the changes as they achieve the intent of the guidelines.

- The applicant proposed a trash structure enclosure with matching finished materials from the principal structure. The location is at the toe of the west steep bank which is appropriate. The Department supports the proposed structure and location.

E. ***Landscaping***

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites
Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

E-3 Landscaping Design to Address Special Site Conditions
The landscape design should take advantage of special onsite conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas and boulevards.

- Street trees are a part of the larger High Point landscape plan. The proposed landscaping plan and preserved trees are appropriate for the site. Existing trees provide some solidified character along with complimentary new landscaping which will together provide visibility and privacy where appropriate.

DECISION - DESIGN REVIEW

Considering the significant positive changes noted in the above analysis, the Department approves the design as proposed. Conditioning is appropriate to ensure all elements are carried through the construction phase of the project.

SUMMARY OF DEPARTURE DETERMINATION

The applicant requests departures from the following Land use Code Development Standard:

1. Allow greater than the maximum allowable structure **depth** from 228' to 300'.
   SMC Table 23.45.011-A -- ***GRANTED***

2. Allow greater than the maximum allowable structure **width** from 90 to 420'.
   SMC Table 23.45.011-A -- ***GRANTED***

3. Allow less than required side setback average from 41' to 34.32' on the south lot line.
   SMC Table 23.45.014-A -- ***GRANTED***

4. Allow less than the required number of trees.
   Director's Rule 13-92 – ***GRANTED***

5. Allow less than the required front setback from 10' to 0' for the trellis structure only
   SMC 23.45.014-A1 – ***GRANTED***

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the final environmental impact statement (FEIS) submitted by the applicant, dated September 24, 2002, and reviewed by this Department. DPD has reviewed and accepted the FEIS and adopted it pursuant to SMC 25.05.600. The information in the FEIS, supplemental information provided by the applicant (plans, including landscape plans, building elevations) and the experience of the lead agency with review of similar projects, form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) establishes the relationship between codes, policies, and environmental review. Specific policies for specific elements of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part:

> "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation (subject to some limitations)."

Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

ENVIRONMENTAL IMPACTS

The proposed and approved contract rezone and full subdivision for High Point required an EIS to evaluate the impacts of the High Point redevelopment. The FEIS considered the following environmental impacts: Earth; Air; Water; Energy; Environmental Health; Plants and Animals; Noise; Land Use; Light and Glare; Aesthetics; Cultural/Historic Resources; Housing Relocation; Population; Socioeconomic Conditions; Environmental Justice; Transportation; Parks and Recreation; Public Services; Circulation and Parking. As mentioned previously, the FEIS was adopted by the department on September 24, 2002, during the review of the contract rezone and full subdivision. A copy of the FEIS was reviewed by DPD for the SEPA conditioning associated with the High Point redevelopment.

The information provided by the applicant and its consultants, the public comments received, and the experience of the lead agency with the review of similar proposals form the basis for review and conditioning of the proposal. The potential environmental impacts may be referenced by the Draft and Final EIS. Where appropriate, mitigation may be required pursuant to Seattle's SEPA Ordinance (SMC 25.05).

Short-term Impacts

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- construction dust and storm water runoff;
- erosion;
- increased traffic and demand for parking from construction equipment and personnel;
- increased noise levels;
- occasional disruption of adjacent vehicular and pedestrian traffic;
- decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment;
- increased noise; and
- consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires debris to be removed from the street right-of-way, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Noise

Noise impacts would be most likely when construction activities occur close to sensitive locations and when there would be many simultaneous construction operations. The levels of construction noise mentioned in the Final EIS suggest the need for careful consideration of means to reduce noise transmission to nearby residences. Thus further mitigation is warranted.

In addition to the Noise Ordinance requirements in SMC 25.08, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays from 7:00 a.m. to 6:00 p.m. and to Saturdays between 9:00 a.m. and 6:00 p.m.

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residential units, no major noise creating work, such as those listed below, is permitted on Saturdays from 9:00 a.m. to 6:00 p.m.:

- Pile driving.
- Grading with heavy machinery.
- Concrete pouring.
- Jack hammering.
- Use of gas generators without the use of hay bales to baffle noise

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule, thus the duration of associated noise impacts. DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction time frame if conducted during these hours.

Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case-by-case basis by approval of the Land Use Planner or Noise Abatement Program prior to each occurrence. As a condition of this decision, the applicant may be required to submit a noise mitigation plan to DPD for review and approval before a change in construction hours may occur. Periodic monitoring of work activity and noise levels may be conducted by DPD.

With the imposition of a condition noise impacts to nearby uses are considered adequately mitigated.

Grading

A mass grading permit (#2302552) for this site has been reviewed and issued by the Department prior to the publication of this decision. Impacts of the mass grading were covered in the FEIS and conditioned as necessary within the decision for the contract rezone #2105600 and full subdivision #2202170. 14,550 cubic yards of grading is proposed (14,350 cut, 200 fill) for the subject site. If material is transported to or from the site, City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Considering the amount of earth that will be leaving the site, spillover materials onto the adjacent street system is a foreseeable impact. The contractor must take appropriate measures to wash the wheels of construction vehicles leaving the site to minimize this impact to the greatest extent possible. The construction entrance must be constructed to be durable. Conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Parking

The review process contemplates issues with construction related traffic impacts on adjacent streets. The demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties.

Accordingly, the owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site for the term of construction whenever possible. To further facilitate this effort, the owner and/or responsible party shall submit a construction phase transportation plan. The plan shall identify approximate phases and duration of construction activities, haul routes to and from the site, address ingress/egress of trucks/personnel/equipment and construction worker parking. These conditions will be posted at the construction site for the duration of construction activity. The authority to impose this condition is found in Section 25.05.675-B.2.g of the Seattle SEPA ordinance.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal and include: potentially decreased water quality in surrounding watersheds; increased bulk and scale on the site; increased ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; increased energy consumption, increased on-street parking demand. These long-term impacts are not considered significant because the impacts are minor in scope and SEPA mitigation is not required.

Parking

The proposal anticipates 176 residents on average for the development at any given time. The Land Use Code requires 1 space for each 4 residents, resulting in a code required 44 spaces for the development. The applicant proposes 96 vehicles to be provided on-site for the congregate residence. The proposed development will likely have no significant adverse impact on street parking and thus mitigation measures are not necessary.

Other Impacts

Several adopted Codes and Ordinances and other Agencies will appropriately mitigate the other use-related adverse impacts created by the proposal. Specifically, these are the Puget Sound Clean Air Agency (increased airborne emissions); and the Seattle Energy Code (long-term energy consumption). The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise; increased pedestrian traffic, increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions.

DECISION - SEPA

Environmental impacts for the proposal were identified and analyzed in the Final Environmental Impact Statement issued by Seattle Housing Authority. DPD has the authority to mitigate impact pursuant to the city's SEPA practices. Therefore, the proposal is **CONDITIONALLY APPROVED** subject to the conditions/mitigating measures noted at the conclusion of this report.

CONDITIONS - DESIGN REVIEW

Non-Appealable Conditions

1. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Lucas DeHerrera, 206.615.0724). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

2. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Lucas DeHerrera, 206.615.0724), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

3. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all Building Permit drawings (6001908).

Prior to Issuance of the Building Permit

4. A lighting plan that addresses pedestrian safety within the interior parking lots, street property lines, and common open space should be developed for review and approval by DPD. The design should use low level, well distributed lighting for pedestrian safety and minimal lighting spill over.

Prior to Certificate of Occupancy

6. Compliance with the approved design features and elements, including exterior materials, roof pitches, facade colors, landscaping and R.O.W. improvements, shall be verified by the DPD Planner assigned to this project. Inspection appointments with the Planner (Lucas DeHerrera, 206.615.0724) must be made at least 3 working days in advance of the inspection.

During Construction

7. All changes to the exterior facades of the building and landscaping on site and in the R.O.W. must be reviewed by a Land Use Planner prior to proceeding with any proposed changes.

CONDITIONS - SEPA

Prior to issuance of any Construction or Grading Permits

8. The owner(s) and/or responsible party(s) shall secure DPD Land Use Planner approval (Lucas DeHerrera 206.615.0724 or Cheryl Waldman 206.233.3861) of a construction phase, transportation and pedestrian circulation plans. Appropriate SDOT and/or King County METRO participation in development of the plans shall be documented prior to DPD approval. The plan shall address the following:

    - Ingress/egress and parking of construction equipment and trucks;
    - Truck routes, to and from the site, for the excavation and construction phases;
    - How spillover from construction vehicles to the street will be mitigated;
    - Street and sidewalk closures;
    - Potential temporary displacement/relocation of any nearby bus stops.
    - Wheel washing location(s) on site including length of time expected to use the wheel washing location and if it will be used by any neighboring construction sites.

During construction:

The following condition(s), to be enforced during construction, shall be posted at the site in a location visible and accessible to the public and to construction personnel from the street right-of-way. Conditions shall be posted at both abutting streets. The conditions shall be printed legibly on placards available from DPD, shall be laminated with plastic or other weatherproofing material, and shall remain in place for the duration of construction.

9. The owner(s) and/or responsible party(s) shall comply with the construction mitigation plan. A copy of that plan must be kept on-site.

10. All construction activities shall be limited to non-holiday weekdays from 7:00 a.m. and 6:00 p.m. and Saturdays from 9:00 a.m. to 6:00 p.m. Other than surveying, surveillance and securing the site (no grading), work on Sundays is not permitted. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residential units, no major noise creating work such as those listed below, is permitted on Saturdays from 9:00 a.m. to 6:00 p.m.:

    - Pile driving.
    - Grading with heavy machinery.
    - Concrete pouring.
    - Jack hammering.
    - Use of gas generators without the use of hay bales to baffle noise.

11. Broadband backing-up alarms must be used for all vehicles that use back up alarms when in reverse gear.

    After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. The hours above may be extended and/or specific types of construction activities may be permitted on a case-by-case basis by approval of the Land Use Planner (Lucas DeHerrera 206.615.0724 or Cheryl Waldman 206.233.3861) or Noise Control Program (David George 206.784.7843 or Jeffrey Stalter 206.615.1760) prior to each occurrence. The applicant may be required to submit a noise mitigation plan to DPD for review before a change in construction hours may occur. Periodic monitoring of work activity and noise levels may be conducted by DPD.

Signature: (signature on file) Date: April 13, 2006
Lucas DeHerrera, Land Use Planner

LD:bg
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